

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

GWENDOLYN C. PACE, *et al.*,

Plaintiff,

v.

UNION SAVINGS BANK, *et al.*,

**Case No. 2:13-CV-00643
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Mark R. Abel**

Defendants.

ORDER

Plaintiffs brought this action late in the day on July 3, 2013, within hours of the closure of the courthouse for the fourth of July holiday. Plaintiffs moved for a temporary restraining order seeking to enjoin a foreclosure sale scheduled for July 5, 2013. Within an expedited Order on July 3, 2013, the Court denied Plaintiffs' emergency injunctive relief.

On July 22, 2013, filed a nearly identical Motion for Temporary and Preliminary Injunction. (ECF No. 5.) Among Plaintiffs requests for relief is an ex parte temporary restraining order. Although not entirely clear, Plaintiffs appear to request that the Court enjoin the enforcement of the foreclosure sale that occurred on July 5, 2013 pursuant to Franklin County Court of Common Pleas Case No. 10-CV-4690. Attached to Plaintiffs' Motion is an unsworn document entitled "Mortgage Document Examination and Investigation Report." (ECF No. 5-1.) This document, authored by an individual purporting to be a forensic document examiner, states a number of legal conclusions regarding the loan practices that occurred in this case.

After careful review of Plaintiffs' filings, the Court finds that Plaintiffs have failed to submit sufficient evidence to justify the relief they seek. Specifically, the Court finds no basis for enjoining enforcement of the property sale occurring pursuant to the foreclosure action before

the Franklin County Court of Common Pleas. Accordingly, Plaintiffs request for an ex parte temporary restraining order is **DENIED**, with opinion to follow.

IT IS SO ORDERED.

7-23-2013
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE